

Date Mailed December 14, 1999

BEFORE THE

PUBLIC SERVICE COMMISSION OF WISCONSIN

Investigation on the Commission's Own Motion Into Barriers to
Contracts Between Electric Utilities and Nonutility Cogenerators
and Certain Related Policy Issues

05-EI-112

**ORDER TO REOPEN,
NOTICE OF PROCEEDING,
INVESTIGATION, AND ASSESSMENT OF COSTS**

THIS IS A PROCEEDING to consider whether to rescind, alter, or amend the Commission's December 28, 1993, order in this docket. The order established a competitive process that applies to public utilities seeking to procure capacity, if such capacity is of sufficient size that it requires a Certificate of Public Convenience and Necessity (CPCN).

In the December 28, 1993, order, at page 28, the Commission indicated that "the two-stage CPCN process is expected to undergo continual modification and improvement with each application." It is appropriate to review this order due, in part, to recent statutory changes governing the construction of electric generating plants in Wisconsin. The Commission's review will consider whether the order is creating any inappropriate regulatory barriers to the timely installation of needed generating plants in the state. Therefore, pursuant to Wis. Stat. § 196.39, the Commission hereby reopens this proceeding.

NOTICE IS GIVEN that the Commission considers it necessary, in order to carry out its duties, to investigate all books, accounts, practices, and activities of the electric utilities participating in this proceeding. The expenses incurred or to be incurred by the Commission which are reasonably attributable to such an investigation will be assessed against and collected from these utilities in accordance with the provisions of Wis. Stat. § 196.85 and Wis. Admin. Code ch. PSC 5.

The Commission does not discriminate on the basis of disability in the provision of programs, services, or employment. Any person with a disability who needs accommodations to participate in this proceeding or who needs to obtain this document in a different format should contact the case coordinator listed below.

Questions from the media may be directed to Jeffrey L. Butson, Public Affairs Director, at (608) 267-0912.

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Questions regarding this matter may be directed to case coordinator Randel Pilo at (608) 267-1474.

Dated at Madison, Wisconsin, _____

By the Commission:

Lynda L. Dorr
Secretary to the Commission

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